

REMARKS

Claims 9 and 32 have been amended and claim 37 has been withdrawn, without prejudice. Claims 9-11 and 32-36 are presently pending, claims 1-8, 12-31 and 37-40 having been withdrawn.

The Examiner objected to claim 37, which depends from withdrawn claim 23. Claim 37 has been withdrawn to overcome the objection.

In view of such amendments and the following remarks, reconsideration and allowance of the claims, as presently presented, are respectfully requested.

EXAMINER'S ACTION**The 35 U.S.C. § 102 Rejections**

Claims 9-11 and 32-36 were rejected under as being anticipated under 35 U.S.C. 102(e) by U.S. Patent No. 6,385,766 ("Doran"). Claims 9 and 32, as amended, and claims 10-1 and 33-36 which depend respectively therefrom, clearly are patentably over Doran.

Independent claim 9 is directed to a method for facilitating a client's use (operation) of an application program which is not stored locally at the client, but rather, retrieved from a remote server when needed (requested) "based on a selection made by a user of the client." Claim 9 further recites that the client uses the application program by launching a first portion of the application program "in the client", which is initially downloaded from the server to the client, where the launching of the first portion results in program files from a second portion of the application program being automatically downloaded from the server to the client. Claim 9, as amended, clarifies that the downloading of the application program is "based on a selection made by a user of the client" and that the user, by making the selection, causes the "automatic

downloading" of at least one of the second program files of the application, where the at least one second program file is the file that the user desires to use.

In contrast to the claimed invention, Doran teaches a build-to-order computer manufacturing process where an installation program is downloaded onto a target computer and the installation program is executed during manufacture of the target computer to provide that certain software applications identified in the installation program are downloaded from a remote location, such as a network server, and installed on the target computer. Nowhere does Doran teach or suggest a client using a desired program file that is a part of an application program, where the application program is stored at a server and where the desired program file can be operated at the client "only" when a first plurality of program files, and a second plurality of program files which includes the desired program file, of the application program are stored at (downloaded from the server to) the client, as required by claim 9.

In addition, Doran does not teach or suggest the method of claim 32. Claim 32 is directed to configuring computer programs on a client coupled to a server and requires, in relevant part, identifying dependencies among a first plurality of computer programs that are listed in a user profile associated with a user of the client based on querying a database that identifies "dependencies among a second plurality of computer programs that are stored on the server, the first plurality of computer programs being a subset of the second plurality of computer programs." The method of claim 32 further requires "automatically generating configuration files for downloading to the client and that are required to execute any of the first plurality of computer programs in the client, without executing any installation programs associated with any of the first plurality of computer programs." Thus, based on the identified dependences, configuration files that "identify

locations where other programs or files are installed, or identify back-end programs (e.g., an editor or e-mail program) that are used by an application," are automatically generated and used to update the client to provide that the proper applications, stored at the server, can be used at the client when needed. (See spec. page 41, line 1 – page 42, line 2). In contrast to claim 32, Doran concerns installation of applications on a target computer and does not teach or suggest the claimed steps of identifying dependencies based on a user profile and then automatically generating configuration files for downloading to the client to provide that the user can "execute" a desired computer program without installing the desired computer program at the client. (See, for example, spec. at page 36, line 12-page 19).

Accordingly, claims 9 and 32 are patentable over Doran.

Further, claims 10-11 and 33-36, which depend directly or indirectly from claims 9 or 32, are also patentable over Doran for the same reasons as set forth above with respect to claims 1 and 32 and because of the further restrictions they add.

Therefore, withdrawal of the Section 102 rejections is, therefore, respectfully requested.

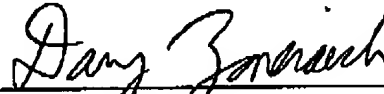
CONCLUSION

For the foregoing reasons, it is believed that all of the claims, as presently presented, are patentable.

The Examiner is invited to telephone the undersigned if it is believed that further amendment and/or discussion would help to advance the prosecution of the present application.

Reconsideration and allowance of claims 9-11 and 32-36 are, therefore,
respectfully requested.

Respectfully submitted,



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